



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,382	04/30/2001	Masakazu Hayashi	450100-03199	2746

20999 7590 08/09/2006

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT	PAPER NUMBER
----------	--------------

2629

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/845,382

Applicant(s)

HAYASHI ET AL.

Examiner

Kimnhung Nguyen

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-5,8,9,11-14,17,18,20-23,26,27,29-32 and 35-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-4,8,9,11-13,17,18,20-22,26,27,29-31 and 35-38 is/are rejected.
- 7) ☒ Claim(s) 5,14,23,32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This application has been examined. The claims 2-5, 8-9, 11-14, 17-18, 20-23, 26-27, 29-32, and 35-38 are pending. The examination results are as following.

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 4, 8-9, 11, 13, 18, 20, 22, 26-27, 29, 31 and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al. (US 6,160,553) in view of Enokida et al. 6,335,746)

Regarding claims 2, 11, 18, 20, 22 and 29, Robertson et al. disclose in figure 9, a display method comprising the steps of dividing specific display area of a display apparatus into a plurality of areas as function of a size (see figures 9-10, see multiple thumbnails images and each one associated with own function, see thumbnail 902 associated with Internet Explorer, see column 13, lines 19-62); generating image data (see thumbnails) comprises the plurality of areas divided, by setting a pixel data (see low or high resolution associated with pixels and bit color, see column 9, lines 20-43, column 12, lines 45-62 and column 13, lines 53-57), and displaying the image generated (display thumbnails, associated with object, see col. 9, lines 20-43).

However, Robertson et al. does not disclose the image data that is related to the desired non-image data based on the non-image data.

Enokida et al. discloses a file system having the generated data represents non-image data (see col. 8, lines 61-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement of non-image data as taught by Enokida et al. into the system of Robertson et al. because this would display of a thumbnail image is not present.

Regarding claims 4, 13, 22 and 31 are similar claim 1 and discussed above.

Regarding claims 8, 17, 26 and 35, Robertson et al. discloses further, wherein boundaries among said divided areas are blurred after saturation of one or plurality of pixels in each of said divided areas is changed (see figure 10, column 13, lines 19-56).

Regarding claims 9, 27 and 36, are similar claim 1 and discussed above. Robertson et al. discloses further, wherein at least part of the contents of said text file is displayed in the form of text in such a manner to be overlapped to said image in formation (see figure 9).

Regarding claim 37, Robertson et al. discloses further, wherein a size of an area of the plurality of areas is smaller than an area corresponding to a thumbnail image because the first number of areas is inside of the thumbnail image.

As to claim 38, Robertson et al. discloses a display method comprising the steps of generating image data (display thumbnails associated with object) that setting a pixel data for the image data; and displaying the image generated (see display thumbnails associated with object, and presented by a higher resolution image e.g., a 512 pixel by 512 pixel bit map having 24 bit color, see col. 9, lines 20-44).

However, Robertson et al. does not disclose the generating image related to a non-image data and based on a content of the non-image data.

5. Claims 3, 12, 21 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al. (US 6,160,553) in view of Enokida et al. (US 6,335,746) and further in view of Hoffman (US 5,761,655).

Robertson et al. and Enokida disclose every feature of the claimed invention, excluding the divided areas is modified by taking unit data quantities of said data file as data values of red, green, and blue dots of one or a plurality of pixels in each of said divided areas.

Hoffman disclose in figure 5, the divided areas is modified by taking unit data quantities of said data file as data values of red, green, and blue dots of one or a plurality of pixels in each of said divided areas (see pixel process routine and RGB values, column 6, lines 63-67 and column 7, lines 1-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the data values of red, green, and blue of one or a plurality of pixels in each of said divided areas as taught by Hoffman into the system of Robertson et al. and Enokida et al. because this would provide to the user the scan increment the original image is changed,

Art Unit: 2629

and perform the operation of the routine of Red, Blue and Green color values (see col. 7, lines 1-13), which appropriate indices for file ID and dominant color for each of the thumbnails produced.

***Allowable Subject Matter***

6. Claims 5,14,23 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: None of the cited art teaches or suggests that a number of a plurality of areas proportional to the size of the non-image data.

***Response To Arguments***

8. Applicant's argument filed on 5/22/06 has been fully considered but they are not persuasive.

Applicant states that Robertson, Enokida and Motoshima fail to disclose "a specific display area of a display apparatus into a plurality of areas as a function of a size of desired non-image data, generating image data that is related to the desired non-image data and comprises the plurality of areas divided, by setting a pixel data for each of the plurality of areas based on the non-image data; and displaying the image generated".

Examiner respectively disagrees because Robertson discloses the steps of dividing specific display area of a display apparatus into a plurality of areas as function of a size (see figures 9-10, see multiple thumbnails images and each one associated with own function, see

Art Unit: 2629

thumbnail 902 associated with Internet Explorer, see column 13, lines 19-62); generating image data (see thumbnails) comprises the plurality of areas divided, by setting a pixel data (see low or high resolution associated with pixels and bit color, see column 9, lines 20-43, column 12, lines 45-62 and column 13, lines 53-57), and displaying the image generated (display thumbnails, associated with object, see col. 9, lines 20-43). However, Robertson et al. does not disclose the image data that is related to the desired non-image data based on the non-image data. Enokida et al. discloses a file system having the generated data represents non-image data (see col. 8, lines 61-67). Therefore, the combination of Robertson and Enokida et al. are satisfied for its intended purpose. For these reasons, the rejections are maintained.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2629


***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen  
August 5, 2006



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600